

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

EAST HAVEN BUILDERS SUPPLY – US LBM, LLC  
d/b/a MILLWOOD LUMBER  
Employer

and

Case 02-RC-234932

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,  
LOCAL 456  
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Report on Objections and Certification of Representative<sup>1</sup> is denied as it raises no substantial issues warranting review.<sup>2</sup>

LAUREN McFERRAN, MEMBER

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., May 17, 2019.

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<sup>1</sup> We have treated the Regional Director's "Report on Objections" as a Decision on Objections. See 79 Fed. Reg. 74412 fn. 464 (Dec. 15, 2014). In denying the Employer's Request for Review, we do not rely on the Regional Director's citation to *Magic Beans, LLC*, 352 NLRB No 107 (2008), a case decided by a panel that included two persons whose appointments to the Board were not valid. *NLRB v. Noel Canning*, 134 S.Ct. 2550 (2014).

<sup>2</sup> In denying review, Member Kaplan relies solely on the Employer's failure to proffer evidence that the Petitioner knew, and suppressed evidence, of Louis Tallandier's arrest.